

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
 Avi J. Ashkenazi et al.
 Serial No.: 09/020,746
 Filed: February 9, 1998
 For: APO-2 RECEPTOR

Group Art Unit: 1646

Examiner: Kaufman, C.

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on

2/24/03, 2003
R. H. Mitchell

TRANSMITTAL LETTER

Assistant Commissioner of Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

1. Supplemental Information Disclosure Statement
2. Form PTO-1449 with 33 References
3. Return Postcard

In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC.

By: *Diane L. Marschang*
 Diane L. Marschang
 Reg. No. 35,600
 Telephone No. (650) 225-5416



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi et al. Serial No.: 09/020,746 Filed: February 9, 1998 For: APO-2 RECEPTOR	Group Art Unit: 1646 Examiner: Kaufman, C.
<p style="text-align: center;">CERTIFICATE OF HAND-DELIVERY</p> <p>I hereby certify that this correspondence is being hand delivered in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on <u>2/24/03</u>, 2003</p> <p style="text-align: right;"><u>R. H. Mitchell</u></p>	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

- 37 CFR §1.97(b)**
 - within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); **or**
 - within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR§1.491, **or**
 - before the mailing of the first Office action on the merits; **or**
 - before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.
- 37 CFR §1.97(c)**
 - by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a statement as specified in 37 CFR §1.97(e), as checked below.
- 37 CFR §1.97(d)**
 - after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37

CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- 37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
 - 37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith.

A concise explanation of relevance of the items listed on PTO-1449 is:

- not given
- given for each listed item
 - given for only non-English language listed item(s) [Required]
 - in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

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Filed: February 9, 1998

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In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,

GENENTECH, INC.

Date: February 21, 2003

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FORM PTO-1449

U.S. Dept. of Commerce
Patent and Trademark Office

Atty Docket No.

P1101P1

Serial No.

09/020,746

LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Applicant

Ashkenazi et al.

Filing Date

09 Feb 1998

Group

1647

U.S. PATENT DOCUMENTS

Citation Number	Document Number	Date	Name	Class	Subclass	Filing Date
1	4,855,235	08.08.89	Takahashi et al.			
2	5,153,118	06.10.92	Wright, Jr. et al.			
3	5,158,885	27.10.92	Bradstock et al.			
4	6,417,328	09.07.02	Alnemri			

FOREIGN PATENT DOCUMENTS

Citation Number	Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No
5	WO 02/053727	11.07.02	PCT			03	/03
6	WO 92/01047	23.01.92	PCT			/03	/03
7	WO 92/20791	26.11.92	PCT				
8	WO 93/00109	07.01.93	PCT				
9	WO 93/06213	01.04.93	PCT				
10	WO 93/11236	10.06.93	PCT				
11	WO 93/19172	30.09.93	PCT				
12	WO 95/01438	12.01.95	PCT				
13	WO 95/15388	08.06.95	PCT				

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

14	Carter et al., "Antibody Engineering Using Very Long Template-Assembled Oligonucleotides" <u>Methods: A Companion to Methods in Enzymology</u> 3(3):183-192 (Dec 1991)
15	Chuntharapai and Kim, "Generation of Monoclonal Antibodies to Chemokine Receptors" <u>Methods in Enzymology</u> 288:15-27 (1997)
16	Ellis, S., "Recognition of HLA-B27 and Related Antigen by a Monoclonal Antibody" <u>Human Immunology</u> 5:49-59 (1982)
17	Emery et al., "Osteoprotegerin Is a Receptor for the Cytotoxic Ligand Trail" <u>Journal of Interferon and Cytokine Research</u> (Abstract No. 2.17 from the 7th Intl. Tumor Necrosis Factor Congress May 17-21) 18(5):A-47 (May 1998)
18	Fishwild et al., "High-Avidity Human IgG ₁ Monoclonal Antibodies From a Novel Strain of Minilocus Transgenic Mice" <u>Nature Biotechnology</u> . 14(7):845-851 (Jul 1996)
19	Glassy, M., "Production methods for generating human monoclonal antibodies" <u>Human Antibodies & Hybridomas</u> 4(4):154-165 (Oct 1993)
20	<u>Handbook of Monoclonal Antibodies</u> , Ferrone et al. eds., Park Ridge, NJ:Noyes Publications, pps. 302-359 and Chapter 22 (1985)
21	Hoogenboom, "Designing and optimizing library selection strategies for generating high-affinity antibodies" <u>Trends in Biotechnology</u> 15(2):62-70 (Feb 1997)
22	Jones, Y., "Cytokine Receptor Complexes Verses Cell Adhesion Interactions - Upping the Affinity" (Abstract no. M11.OA.002 presented at the XVIIth IUCr Congress & General Assembly held in Glasgow, Scotland on August 4th-13th, 1999.) pps. 133
23	Kabat et al. <u>Sequences of Proteins of Immunological Interest</u> (NIH Publn. No. 91-3242), 5th edition

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

03/03/03 Sheet 2 of 2

FORM PTO-1449		U.S. Dept. of Commerce Patent and Trademark Office		Atty Docket No. P1101P1	Serial No. 09/020,746
LIST OF DISCLOSURES CITED BY APPLICANT (Use several sheets if necessary)				Applicant Ashkenazi et al.	
				Filing Date 09 Feb 1998	Group 1647
OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)					
24	Lasky et al., "DNA sequence analysis of the type-common glycoprotein-D genes of herpes simplex virus types 1 and 2" <u>DNA</u> 3(1):23-29 (1984)				
25	Mendez et al., "Functional transplant of megabase human immunoglobulin loci recapitulates human antibody response in mice" <u>Nature Genetics</u> 15:146-156 (Feb 1997)				
26	Neri et al., "Engineering recombinant antibodies for immunotherapy" <u>Cell Biophysics</u> 27(1):47-61 (Aug 1995)				
27	Olsson and Kaplan, "Human-human hybridomas producing monoclonal antibodies of predefined antigenic specificity" <u>Proc. Natl. Acad. Sci. USA</u> 77(9):5429-5431 (1980)				
28	Peterson, N., "Recombinant antibodies: alternative strategies for developing and manipulating murine-derived monoclonal antibodies" <u>Laboratory Animal Science</u> 46(1):8-14 (Feb. 1996)				
29	Pluckthun., "Antibodies From Escherichia coli." <u>The Pharmacology of Monoclonal Antibodies: Handbook of Experimental Pharmacology</u> , Rosenberg and Moore, eds., Berlin:Springer-Verlag, Chapter 11, Vol. 113:269-315 (1994)				
30	Smith et al., "Cardiac Glycoside-Specific Antibodies in the Treatment of Digitalis Intoxication" <u>Antibodies in Human Diagnosis and Therapy</u> pps. 365-389 (1977)				
31	Soderlind et al., "Phage display technology in antibody engineering: design of phagemid vectors and in vitro maturation systems" <u>Immunological Reviews</u> 130:109-124 (Dec 1992)				
32	Steinitz et al., "EB virus-induced B lymphocyte cell lines producing specific antibody" <u>Nature</u> 269(5627):420-422 (Sep 29, 1977)				
33	Vaughan et al., "Human Antibodies With Sub-nanomolar Affinities Isolated From a Large Non-immunized Phage Display Library" <u>Nature Biotechnology</u> 14:309-314 (1996)				
34	Winter et al., "Making antibodies by phage display technology" <u>Annual Review of Immunology</u> 12:433-455 (1994)				
Examiner			Date Considered		
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>					

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